

Compliance Assessment Report CAR_NRW0048513

Permit being assessed: CG0088601

For: Betws-yn-Rhos Wastewater Treatment Works, **held by:** DWR CYMRU CYFYNGEDIG

At: Ffordd Llanelwy, Betws-yn-Rhos, Abergele, LL22 8AW.

Type of assessment carried out: Report/Data Review,

Reason: Routine.

On 26/03/2025.

Parts of permit assessed: 2.3

NRW Lead Officer: Gareth Siney.

Report sent to: CARS Mailbox, CARS Mailbox, on 22/01/2026.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	2.3.3 For the discharge(s) specified in table S3.3: (a) The discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Explain why this discharge occurred. Demonstrate site is now flow compliant	30/08/2025

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Update 22/01/2026. NRW HAS CONCLUDED THAT A WARNING LETTER IS THE MOST APPROPRIATE RESPONSE. THE WARNING LETTER IS INCLUDED IN THIS CAR FORM.

The site is permitted (CG0088601) to discharge to storm tanks and off-site to the Afon Dulas when the flow exceeds 3.5 litres per second. Flow data supplied is Flow Passed Forward and assumed to be collected from a meter after the weir that feeds the storm tank. The EDM sensor on site has been malfunctioning so Wet Wall height has been used in place. It will still be referred to as EDM in this report. This assessment covers a full year of data (22/10/2023 – 21/10/2024).

To begin with, permit condition 2.3.3 (a) *The discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.*

Using the data provided, an estimated volume discharged from the storm tank was calculated. By omitting data points when EDM was not “firing” at 100, the remaining flow points are only those measured while water is being discharged from the storm tank, though this includes flow speeds below the permitted overflow setting of 3.5l/s and speeds above this rate. Taking the average flow for this filtered data, we can subtract it from the permitted speed, the result giving us an assumed volume not passing through the works (i.e. being discharged). By multiplying this value by 60 (as data is provided as litres per second), and then multiplying by the number of timestamps, we can see an estimated litres spilled. The sum of these data points showing EDM discharging water from the storm tank is **314,685 litres**. Remember this value **includes** compliant flows which exceed the permitted overflow setting, and is an “average” calculation.

We can also compare timestamps for the spill events. This whole dataset is made of 524,240 timestamps (each 1 minute). Where the STW is discharging off-site while FPF is below the permitted rate (3.5 l/s), there are 96,032 timestamps. This indicates that for **18.32% of the dataset (about 67 days out of 360), the works is discharging off-site while failing to meet PFF**.

Flows below 90% permitted rate

By repeating the calculation above but changing the filter for the flow/s to values below 90% of the permitted rate (3.15 l/s), we can see that **2.03% of the time** (1,953 timestamps out of 96,032) where the site was spilling while below PFF, it was also during flows below 90%. However when estimating volume instead of time, about **87.79% of the total volume spilled in breach of permit is spilled while flows are below 90% of the permitted overflow setting**.

Action: 1) Explain why the discharge occurred

2) What remedial works have taken place to prevent this happening again

3) Demonstrate pass forward flow compliance for the past 180 days

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm to the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Monitoring
- WQ-C5 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.